THE HON'BLE SRI JUSTICE C.V. RAMULU

Monday, 31st July, 2006

W.P.No.718 of 1996

Between:

S. Venkatesh & others … Petitioner

and

Government of Andhra Pradesh,
Food and Civil Supplies-IV Department,
Rep.by Ex-Officio Secretary to Government,
Secretariat Buildings, Hyderabad
and another. … Respondents

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ORDER:

Learned counsel for the petitioners is not present.

Learned Government Pleader for Civil Supplies states that the issue involved in this Writ Petition is squarely covered by the Judgment of this Court reported in **P. KATAMA REDDY v. R.D.O., ANANTAPUR**[1] wherein the questions that fell for consideration were, whether women reservation can be provided in the matter of allotment of fair price shops and if so, what would be the extent of such reservation and as to whether the said reservation can be 100%. This Court held that reservation made for women in the matter of allotment of fair price shops is constitutionally valid being directly traceable to the fundamental rights under Article 15(3) read with Article 15(1) of the Constitution of India.

In this Writ Petition, an amendment was sought to be made to the Andhra Pradesh Scheduled Commodities (Regulation of Distribution by Card System) Order,1978, by way of G.O.Ms.No.497, dated 19-12-1995, which is impugned in the Writ Petition. By the said amendment, the words 'or registered Women Voluntary Consumer Organizations (which have only women as members)' are sought to be inserted after the words 'or Development of Women and Children in Rural Areas groups' in sub-paragraph (1) of Paragraph-3 of the said Order. This amendment was taken up in view of the request made by the

representatives of Consumers Organizations in the meeting held on 9-10-1995 to allot fair price shops to women's voluntary consumer organizations. The Government, after careful consideration of the matter and also keeping in view the growing unemployment made the impugned amendment, making unemployed women or registered women's voluntary consumer organizations eligible for appointment as fair price shop dealers. In view of the same, it cannot be said that there is any illegality or irregularity committed by the respondents in issuing the impugned G.O. amending the earlier guidelines/orders including certain women organizations for the purpose of allotment of fair price shops. The Writ Petition is devoid of merits and is liable to be dismissed.

Accordingly, the Writ Petition is dismissed. No order as to costs.

31-7-2006

prk

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[1] 1997(6) ALT 548 (DB)